

## California Fair Political Practices Commission

July 27, 1988

Donna R. Betancourt Acting City Clerk 1685 Main Street Santa Monica, CA 90401-3295

> RE: Your Request for Advice Our File No. I-88-212

Dear Ms. Betancourt:

You have requested advice under the campaign disclosure provisions of the Political Reform Act (the "Act"). Your letter states only a general question. Therefore, we consider it to be a request for informal assistance pursuant to Regulation 18329(c) (copy enclosed). 2/

## QUESTION

When a general purpose recipient committee is required to report the cumulative amount of expenditures made to or on behalf of candidates and measure committees, what schedules of the Form 420 should be completed?

### CONCLUSION

General purpose recipient committees report all payments out of campaign funds on Schedule E of the Form 420, including contributions and independent expenditures made to or on behalf of candidates and measure committees. In addition, all contributions and independent expenditures reported on Schedule E must also be reported on the "Allocation Page" of the Form 420. The Allocation Page provides a column for reporting the date of the contribution or independent expenditure and the total cumulative amount of contributions and independent expenditures made to or on behalf of the candidates and measure committees since January 1 of the current calendar year.

<sup>1/</sup>Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

<sup>2/</sup>Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 84113; Regulation 18329(c)(3).)

#### ANALYSIS

The Act provides that when an expenditure of \$100 or more is made during the period covered by the campaign statement, the following information must be reported: the full name of payee, payee's street address, amount of each expenditure and a brief description of the consideration for which each expenditure was made. (Section 84211 (j) (1), (2), (3), and (4).) When an expenditure is a contribution, the date of the contribution and the cumulative amount of the contribution made to a candidate, elected officer or committee must also be reported. (Section 84211(j)(5).)

The example in your letter, "Committee for Free Enterprise," was formed to support candidates Joe Smith, Bill Jones, Ann Brown, Propositions Q, S, T and to oppose Proposition R. Committee for Free Enterprise is a general purpose committee. Section 82027.5 defines general purpose committees as "all committees pursuant to subdivisions (b) or (c) of Section 82013, and any committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose more than one candidate or ballot measure...."

General purpose committees are required to report the cumulative amounts of expenditures they make to or on behalf of candidates and measure committees. Section 84211(m) states that committees supporting or opposing more than one candidate or measure must report:

The amount of expenditures of one hundred dollars (\$100) or more for or against each candidate or measure during the period covered by the campaign statement and the cumulative amount of expenditures of one hundred dollars (\$100) or more for or against each such candidate or measure.

I hope the above clarifies the matter for you. Please do not hesitate to contact me at 916/322-5662 if you need additional assistance.

Sincerely,

Diane M. Griffiths General Counsel

By:

Political Reform Consultant

DMG:MAK:kmt

City Clerk

1685 Main Street Santa Monica, CA 90401-3295 (213) 458-8211

May 27, 1988

California Fair Political Practices Commission Technical Assistance & Analysis Division P.O. Box 807 Sacramento, CA 95804-0807

## Gentlemen:

Set forth below is a problem I have encountered in reviewing political campaign statements.

The 1988 Handbook for City and County Filing Officers states, "... the filing officer shall review ... all statements (except statements filed pursuant to Section 84210) to insure that the ... 12. following information is contained in the statement: the statement is filed by a committee supporting or opposing more than one candidate or measure, other than a slate committee, the amount of expenditures during the period for or against each candidate or measure and the cumulative amount of expenditures for or against each candidate or measure" (pp. 22-27).

I am unable to determine where in the campaign statement this information should appear. In conversation with a member of the FPPC staff, I was told that a breakdown of expenditures by candidate/measure should be included in Schedule E. However, in reading the instructions for completing Schedule E, I see nothing indicate that such a breakdown is required. There are instructions for reporting contributions and expenditures to or on behalf of "other" officeholders, candidates, and measures, but not for those the committee was formed to support/oppose.

For instance, say that "The Committee for Free Enterprise" was formed to support candidates Joe Smith, Bill Jones, and Ann Brown, to support Propositions Q, S, and T, and to oppose Proposition R. I read the direction in the Filing Officers' Handbook to mean that if \$5,000 was spent, the campaign statement should show what proportion of that amount was spent to support Smith, to oppose Proposition R, etc. candidate instructions for Schedule E to mean that a contribution to "another" candidate, Tom Black, should be included as a "C" expenditure, but I do not see that expenditures for the other

categories should be broken down to show how much was made on behalf of the candidates/propositions the committee was formed to support/oppose.

I would appreciate very much if you would help me to reconcile the instruction given to the filing officer with the instructions for completing Schedule E or, if the instruction to the filing officer does not refer to Schedule E but to some other schedule, explain exactly where this information should appear.

Thank you for any assistance you may be able to provide.

Sincerely,

DONNA R. BETANCOURT Acting City Clerk

(213) 458-8211



May 27, 1988

City Clerk

California Fair Political Practices Commission Technical Assistance & Analysis Division P.O. Box 807 Sacramento, CA 95804-0807

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Thank you for any assistance you may be able to provide.

Sincerely,

DONNA R. BETANCOURT Acting City Clerk



# California Fair Political Practices Commission

June 8, 1988

Donna R. Betancourt Acting City Clerk 1685 Main Street Santa Monica, CA 90401-3295

Re: 88-212

Dear Ms. Betancourt:

Your letter requesting advice under the Political Reform Act was received on June 6, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard

Chief

Technical Assistance and Analysis Division

Jeanne Gruchard by sich

JP:plh